

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 17, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-23454 - APPLICANT: MARY FREE - OWNER: SCOTT G. MAHALICK

**** CONDITIONS ****

The Planning Commission (5-1/sd vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-9310) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Bailbond Service at 121 Gass Street. A Site Development Plan Review (SDR-9310) and a Special Use Permit (SUP-9311) for a Bail Bond service at this location was approved by the City Council on December 7, 2005. The Use Permit (SUP-9311) was not exercised within the one year time limit and thus expired.

The proposed Bailbond Service use is permitted with approval of a Special Use Permit. It is in compliance with the General Plan, Title 19, and all other applicable plans. The Downtown South area of the Downtown Centennial Plan is conducive to Bailbond Services uses. There are 12 Bailbond Service uses within a 1000-foot radius of the proposed site. Therefore, staff is recommending approval of the proposed use.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/2005	The City Council approved a request for a Site Development Plan Review (SDR-9310) for a proposed 640 square foot office conversion and a waiver of the Downtown Centennial Plan streetscape standards and build to line requirement on 0.03 acres at 121 Gass Avenue.
12/07/2005	City Council approved a request for a Special Use Permit (SUP-9311) for a Bailbond Service at 121 Gass Avenue.
09/13/2007	The Planning Commission voted 5-1/sd to recommend APPROVAL (PC Agenda Item #8/lhm).
<i>Related Building Permits/Business Licenses</i>	
08/06/1999	Upgrade Electrical (Completed – 99013761)
11/07/2005	Applied for Permit to Build Handicap Ramp (IPHold) (Permit not Issued)
<i>Pre-Application Meeting</i>	
07/11/2007	Discussed processes for reestablishing SDR and expired SUP.
<i>Neighborhood Meeting</i>	
N/A	A neighborhood meeting was not required nor was one held.
<i>Field Check</i>	
08/08/2007	Sign on building for “AACCESS Bail Bond Service”. Several Bail Bond services in surrounding area. As of 8/21/07 sign had been removed from building.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.03

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Dwelling	MXU (Mixed Use)	R-4(High Density Residential) Under a Resolution of Intent to C-2 (General Commercial)
North	Office	MXU (Mixed Use)	C-2 (General Commercial)
South	Parking	MXU (Mixed Use)	C-2 (General Commercial)
East	Office	MXU (Mixed Use)	R-4 (High Density Residential)
West	Duplex	MXU (Mixed Use)	C-M (Commercial/Industrial)

The Las Vegas Redevelopment Plan designates the parcel MXU (Mixed Use), which permits low-density residential, medium-low density residential, medium-density residential, high density residential, office, service commercial, general commercial and public facility uses. The proposed office conversion is consistent with the MXU (Mixed Use) designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Special Overlay District	X	
Airport Overlay District	X	
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

DEVELOPMENT STANDARDS

Downtown Centennial Plan

The subject parcel is located within the Redevelopment Plan Area, and is subject to the design standards of the Downtown Centennial Plan. The property is not impacted by any special overlay district or study area, nor does it abut a trail route.

Airport Overlay District

The subject site is located within the Airport Overlay District. The maximum height allowed within this area is 200 feet without additional approval and a Special Use Permit. The existing building is under the 200-foot height requirement.

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Bailbond Service	640 SF	1/300 GFA	3	1	0	0	Y
TOTAL			2		0		Y

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.

ANALYSIS

Pursuant to Title 19.06.060 properties within the Downtown Overlay district are exempt from the automatic application of the standard parking requirements.

- Zoning**

The subject property is zoned C-2 (General Commercial). The C-2 (General Commercial) District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 (General Commercial) District is consistent with the MXU (Mixed Use) category of the General Plan. The proposed use as a Bail Bond Service is consistent with the C-2 (General Commercial) zone.

- Use**

The proposed use as a Bailbond Service requires a Special Use Permit within the C-2 zone. If approved, this application for a Special Use Permit would fulfill that requirement. There are 12 Bailbond Service uses within the area.

- Conditions**

There are no special conditions associated with this Special Use Permit request.

- Minimum Distance Separation Requirements**

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Bailbond Service use; however, there are 12 Bailbond Service uses within the 1000' notification distance.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Bailbond Service use is compatible with surrounding land uses. There are 12 Bailbond Service uses within the area of the proposed site.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The building in which the proposed Bailbond Service use is to be located in, is suitable for the type and intensity of the land use proposed.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Access to the site will be provided from Gass Avenue and Casino Center Boulevard both are Secondary (80-foot) Collectors as indicated on the Master Plan of Streets and Highways. Therefore, Gass Avenue and Casino Center Boulevard will be adequate to meet the requirements for the proposed Bailbond Service use.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The development will be subject to inspections, and appropriate measures will be taken to protect public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT

6

SENATE DISTRICT

3

NOTICES MAILED

312 by City Clerk

APPROVALS 1

PROTESTS 1